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COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUE980814

**Ex Parte: In the matter of considering an
electricity retail access pilot program –
American Electric Power-Virginia**

HEARING EXAMINER'S RULING

June 8, 1999

On November 2, 1998, American Electric Power-Virginia (the "Company") filed proposals with the State Corporation Commission ("Commission") for electric retail access pilot programs. On December 3, 1998, the Commission entered an order establishing a procedural schedule and setting this case for hearing on June 22, 1999.

On June 3, 1999, the Commission Staff filed a Motion for Extension of Time and Continuance ("Motion") requesting changes to the procedural schedule and a hearing date of November 9, 1999. In support of its Motion, Staff states that it requires additional time to evaluate a wires charge in the pilot program and to consider whether expanding the pilot program will increase its potential for success. Staff further states that it has been advised by the Company that it plans to revise its proposed pilot program to address some of Staff's concerns. However, the Company cannot file its revision until September 1, 1999, at the earliest. (Motion at 3).

Staff states that the following parties to this proceeding do not object the extension requested: American Electric Power-Virginia; the Old Dominion Committee for Fair Utility Rates; the Office of the Attorney General; the Southern Environmental Law Center; Horizon Energy Company d/b/a Exelon Energy and Exelon Management & Consulting; and Virginia Electric and Power Company.

I find that Staff's Motion should be granted and a revised procedural schedule and hearing date established. Accordingly,

IT IS DIRECTED THAT:

(1) The hearing currently scheduled to commence at 10:00 a.m. on June 22, 1999, shall be retained on the Commission's docket for the sole purpose of receiving public comment;

(2) The evidentiary hearing on this matter is hereby rescheduled to November 9, 1999, at 10:00 a.m. in the Commission's Courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia;

(3) On or before September 1, 1999, the Company shall file with the Clerk an original and fifteen (15) copies of its revised pilot program and shall serve a copy on Staff and all parties;

(4) On or before October 14, 1999, each Protestant may file with the Clerk an original and fifteen (15) copies of any additional comments and testimony and shall serve a copy on the Company and Staff;

(5) On or before October 22, 1999, Staff shall file with the Clerk an original and fifteen (15) copies of its testimony and shall serve a copy on all parties;

(6) On or before November 3, 1999, the Company may file with the Clerk an original and fifteen (15) copies of its rebuttal testimony and shall serve a copy on Staff and all parties; and

(7) All comments and testimony shall be served via hand-delivery, overnight mail, or facsimile followed by regular mail, at the sender's option.

Howard P. Anderson, Jr.
Hearing Examiner